GOVERNMENT OF ANDHRA PARDESH
ABSTRACT

Home Department - Appointment of Assistant Public Prosecutor by District Magistrates under section 19 of BNSS, 2023 - Notification - Orders - Issued.

HOME (COURTS-B) DEPARTMENT

G.O.Ms.No.138 Dated:18.09.2025

Read the following:-

1.From the Director of Prosecution, Andhra Pradesh, Vijayawada, Letter No.2902401/Legal/2025, dated: 12.08.2025.

2.From the Director General of Police, AP, Mangalagiri, Rc.No.1006/ L&O-III/2024-25, dated: 13.08.2025.

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ORDER

In the circumstances reported by the Director of Prosecution, Andhra Pradesh, Vijayawada in the reference read above, the Government here by issue the following notification and it shall be published in the Extraordinary issue of the Andhra Pradesh Gazette, dated:18.09. 2025.

NOTIFICATION

It is notified that Section 19 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 provides the procedure for appointment of Assistant Public Prosecutors as reproduced below;

"Section 19 (1) The State Government shall appoint in every district one or more Assistant Public Prosecutors for conducting prosecutions in the Courts of Magistrates.

(2) The Central Government may appoint one or more Assistant Public Prosecutors for the purpose of conducting any case or class of cases in the Courts of Magistrates.

(3) Without prejudice to the provisions contained in sub-sections (1) and (2), where no Assistant Public Prosecutor is available for the purposes of any particular case, the District Magistrate may appoint any other person to be the Assistant Public Prosecutor in charge of that case after giving notice of fourteen days to the State Government:

Provided that, no police officer shall eligible to be appointed as an Assistant Public Prosecutor, if he--

a. has taken any part in the investigation into the offence with respect to which the accused is being prosecuted; *or*

b. is below the rank of Inspector.

2. In a specific situation where no Assistant Public Prosecutor is available for the purposes of any particular case, the District Magistrate concerned may appoint any other person as Assistant Public Prosecutor in charge of that case after giving notice of fourteen days to the State Government as provided under Section 19 (3) of BNSS, 2023.

(P.T.O)

3. In such circumstances, the Director of Prosecution shall propose the appointment of an Assistant Public Prosecutor to the concerned District Magistrate.

4. The Director of Prosecution, Andhra Pradesh, Vijayawada is requested to take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationary & Stores Purchase, Muthyalampadu,
Vijayawada, NTR District, Andhra Pradesh
The Director of Prosecution, Andhra Pradesh, Vijayawada.
Copy to:-
The Director General of Police, Andhra Pradesh, Mangalagiri
OSD to Hon'ble Minister (Home).
PS to Principal Secretary to Government (Home)
The Law(C) Department
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER